

BEFORE THE
COMMISSION ON STATE MANDATES
STATE OF CALIFORNIA

RECONSIDERATION OF PRIOR DECISION
ON:

Education Code Sections 35256.1 and 41409.3,
added by Statutes 1989, Chapter 1463;

Education Code Section 41409, as amended by
Statutes 1992, Chapter 759;

Education Code Section 33126, as amended by
Statutes 1993, Chapter 1031, Statutes 1994,
Chapter 824; and

Education Code Section 35258, as added by
Statutes 1997, Chapter 918.

Directed by Statutes 2004, Chapter 895, Section
18 (Assem. Bill No. 2855),

Effective January 1, 2005.

Case No.: 04-RL-9721-11

School Accountability Report Cards I

NOTICE OF EXTENDED COMMENT
PERIOD AND REHEARING DATE

REHEARING DATE: JULY 28, 2005

TO: Bakersfield City School District
Sweetwater Union High School District
Department of Education
Department of Finance
State Controller's Office
Legislative Analyst
Interested Parties and Legislative Committees

This matter was heard at the May 26, 2005 hearing. The motion to approve the staff analysis resulted in a tie vote. On June 20, 2005, a new member was appointed to the Commission on State Mandates. Therefore, with this change in membership, a rehearing is scheduled for July 28, 2005, pursuant to section 1182, subdivision (c)(1) of the Commission's regulations.

Extended Comment Period

The due date for additional comments has been extended to **July 8, 2005** based on the Education Legal Alliance, California School Boards Association's Request for an extension of time.

Any interested party, affected state agency, or interested person may comment, submit briefs, or correspond with the Commission. An original and one copy or an original and a .pdf file shall be submitted to the Commission. The .pdf file shall be emailed to www.csminfo.ca.gov. The

comments will be posted on the Commission's website. This will satisfy all the service requirements under California Code of Regulations, title 2, section 1181.2.¹

All filings must comply with the following requirements:

- Assertions or representations must be supported by documentary evidence and must be authenticated by declarations under penalty of perjury signed by persons who are authorized and competent to do so and must be based upon the declarant's personal knowledge or information or belief.
- If the comments or briefs cite to federal or state laws, regulations, executive orders, or court decisions, copies of those documents must be included in the filing. Court decisions that involve the Board of Control or the Commission on State Mandates are exempt from this requirement.

Commission Hearing – July 28, 2005

The Commission will hear and determine this reconsideration, and may adopt the proposed revised statement of decision on **July 28, 2005** at 9:00 a.m. in Room 126 of the State Capitol, Sacramento, California. If a decision is not adopted in July, the revised decision will be set for adoption at the September 29, 2005 hearing.


With the exception of section 1188.4 of the Commission's regulations, the hearing procedures in article 7 of the Commission's regulations in effect at the time of the hearing will apply. Since this reconsideration was not requested pursuant to Government Code section 17559, the hearing procedures set forth in section 1188.4 do not apply in this case.

Representatives of interested parties and affected state agencies and the Legislature, will be asked to notify the Commission staff if they wish to testify. Time limits may be imposed if necessary.

A revised final staff analysis on the reconsideration will be issued and posted to the Commission's website on or about July 14, 2005.

If you have any questions regarding this matter, please contact Katherine Tokarski, at (916) 445-9429.

Dated: June 30, 2005


PAULA HIGASHI, Executive Director

¹ The Commission's regulations are at California Code of Regulations, title 2, section 1181 et seq.

Paula Higashi

From: Dick Hamilton [rhamilton@csba.org]
Sent: Thursday, June 30, 2005 4:51 PM
To: Paula Higashi
Cc: Abe Hajela (External Account); RobertM@sscal.com; bmcfadden@acsa.org; Debra Brown
Subject: Comments from CSM Website

Re: Case No.: 04-RL-9721-11 (SARC Reconsideration)

Paula:

Currently additional comments on the reconsideration in the above matter are due today, June 30, 2005. Notice of this came by e-mail on June 15, 2005, just after the beginning of my two week vacation which ended (too soon I might add) this past Monday, June 27th.

I just have not had time to focus on the needed additional comments since I returned. Moreover, the other interested parties have been extensively involved in the on-going budget negotiations and thus have not had time to respond either.

I (we) are asking for an extension of the comment period until Friday, July 8, 2005. Hopefully this will allow COSM staff to respond, as needed, and still keep the matter on the agenda for the July 28, 2005 meeting which I understand is your objective.

Your favorable consideration of this request will be greatly appreciated.

Richard L. Hamilton
Associate General Counsel and
Director, Education Legal Alliance
California School Boards Association
3100 Beacon Blvd.
West Sacramento, CA 95691
(916) 669-3270
(fax) (916) 371-3407

6/30/2005